

**QUALITY GROWTH COMMISSION
CRITICAL LANDS SUBCOMMITTEE
MEETING MINUTES**

**Thursday, April 29, 2004 2:00 p.m.
DEPARTMENT OF NATURAL RESOURCES
1594 West North Temple, Suite 1010**

MEMBERS/ASSOCIATE MEMBERS PRESENT

HANSEN, Michael	State and Local Planning Manager, GOPB
BENNETT, John F.	Project Manager, GOPB
CARVER, Brian	Project Manager, GOPB
FITTS, Randy	Holladay City Manager
LEHMANN, Jill	Government Relations Specialist, TNC
HEMINGWAY, Hank	Citizen at Large
LEWIS, Larry	Department of Agriculture & Food
ASHBY, Ken	Quality Growth Commission
KERR, Shauna	Quality Growth Commission
NEILSON, Nancy	GOPB - Staff

MEMBERS EXCUSED

ALLEN, David	Chairman
PETERSON, Cary	Vice Chairman
WHEELWRIGHT, Doug	Salt Lake City Planner
CHRISTIE, Kim	Trust Lands Administration

Call To Order/Introductions

John Bennett called the meeting to order.

Note: Committee refers to the Critical Lands Subcommittee.
Commission refers to Quality Growth Commission Members.

LeRay McAllister Fund Balance

- As of the end of March we have approximately \$1,375,000.00 in the fund.
- Other installments have probably cleared since then.
- The Wilcox Ranch is paid and finished.
- Clearfield is trying to get the phase II environmental assessment completed so that they can receive payment.
- Bluffdale and Ogden are just waiting to get the final signature on their grant agreements from Dan Lofgren, Chairman of the Quality Growth Commission and they should clear this month.

- Summit County has received their grant agreement and will be sending that back.
- Tree Utah also has their grant agreement so that will also be completed this month.
- The amount listed for West Layton is too high. It should be \$165,000.00. The Nature Conservancy is withdrawing their sponsorship because of development, particularly road development on several sides of the property. Therefore, this would not be a good habitat for the birds.
- The land owner will have to find another eligible applicant to match funds. It has been allowed in the past to change applicants mid-stream.

Presentation by Holladay City Manager, Randy Fitts

Holladay City responded to the Commission's deadline by sending a letter and the resolution. Randy Fitts, Holladay's City Manager was invited to give the subcommittee further details about the steps Holladay City is taking to meet the requirements for the grant.

The letter from Holladay City stated that they are interested in pursuing a grant and the resolution included a 5 to 0 vote in favor of the grant with one council member excused.

The challenges facing Holladay were presented. For one thing, this project involves closing Holladay Boulevard at approximately 6200 South. This is controversial and is opposed by a developer who recently received permission from Salt Lake County to develop property in the county that will use this road as one of its access points. The property in question will be in Cottonwood Heights if there is a decision to incorporate. (It passed) Part of the road would remain open to provide access to the restaurants and one home. Beyond this, the balance of the road would be closed. Tonight the council will vote to authorize going to court to see if they can or cannot actually close the road. (Resolution asking the court for declaratory judgment on the city's application to close the road passed)

The intended use of the property is for a nature park. It may also become a trailhead for the Bonneville Shoreline Trail if creek access can be secured to the mouth of Big Cottonwood Canyon

There was an article in the newspaper that stated the owner of the property would deny access to the public to his property if the road was closed. This would be part of the litigation process if that in fact happens.

The appraisal is another problem. They will be looking closely at the appraisal that valued the property at 4.2 million dollars to see what comps were used. They felt there were differing opinions.

The city has discussed funding programs with Congressman Matheson's office and has spoken with John Bronson of Zion's Bank who handles municipal funding. Wendy Fisher from Utah Open Lands is more than willing to help them raise funds.

Other points of interest: The citizens feel they could support a natural park at the far end of the city if they can acquire the Granite Elementary property to develop a park at the other end of the city. The Mayor has talked with lawyers

about doing a 5013C to buy the land for use as a tax write off for some people and then turn around and donate it to the city.

Shauna Kerr made the motion to extend the application for six months and Jill Lehmann seconded the motion. The vote was unanimous in favor of the motion to extend for six months and if the Commission chooses to they can extend it again at that time. Assuming the commission approves, the six month extension would begin after the next Commission meeting.

Pending Grant Status - Critical Lands Mapping Internship Proposal

- Last month it was proposed to the Quality Growth Commission to update and create a map that would include all of the existing conservation easements in the state of Utah. This would include all of the easements purchased by the LeRay McAllister Fund and all of the other State and private entities such as The Nature Conservancy, the Department of Agriculture and the Division of Wildlife Resources, the Department of Transportation and there are others that have been contacted that hold easements on their own.
- The law does give the McAllister Fund the flexibility to do this.
- The map would give the committee an idea of the connectivity between these preserved spaces.
- The information would be available for people who are trying to conserve lands.
- This would be helpful for those who are proposing new projects so they would be able to identify where other conserve lands are so that lands can be preserved in blocks.
- This would be helpful for the committee to determine what the relationship between the various parcels is.
- It would provide information on what Federal and State lands are being held for preservation purposes.
- Trust Lands typically do not hold easements.
- An intern would be chosen from a local college to complete the study.
- This intern would preferably have some background in one or more of the following areas: Geography, map making, GIS system and/or Natural Resources, etc.
- It was proposed that the cost would be approximately \$7,500.00 for three months employment of an intern, required production software, future presentation and publication materials, and perpetual maintenance. (\$9.00 to \$10.00 an hour for the intern was considered to be sufficient.)
- \$2,000.00 would be used to maintain this map from year to year.
- It is intended that this would be available through the AGRC, on line.
- Three years ago some conservation easements were documented but the program wasn't continued.

- There has never been a coordinated effort between agencies to maintain this information in one central place.
- This would establish a standard for the way the information is presented.
- The Governor's Office of Planning and Budget would supervise this effort.
- There may be some other restrictions on property that would be valuable.
- There would be use of legal documentation. (Metes and bounds, etc.)
- The standard of accuracy would be about the same as the USGS topographic map with a disclaimer that this would not be used in any legal property determinations.
- There is a deadline to get this approval because undergraduates are leaving in a week. The Committee will need to hire an intern and then receive final approval from the Commission in May.

The proposal was unanimously approved by the Committee.

Report on April 9-10, 2004 Sage Grouse site visit

A site visit took place on the ninth and tenth of April 2004 by the Committee. It was at the approved agricultural easement site in San Juan County for protection of the Leking ground for the Gunnison Sage Grouse. This easement protects the grouse by protecting their habitat which includes sagebrush.

Committee members had the rare privilege of observing seventeen male grouse performing their mating dance in their natural habitat very early in the morning. This assembly of birds carried on their display and courtship behavior. For instance, their chests double in size and they make a percolating (like a coffee pot) noise. The committee could hear them clearly one hundred and fifty yards away. This was a rare sight made possible by the use of spotting scopes. All seventeen males lifted off and flew away at sunrise.

There are only about one hundred and fifty of these birds left in Utah.

Review of 7th Funding Cycle Pre-applications

Utah Department of Agriculture – Applicant

Woodlee Dairy/Gittins Farm Easement requested \$350,000.00 for eighty-eight acres near Smithfield in Cache County. The total cost will be 1.8 million dollars. The city of Smithfield, Cache County and the Logan Airport Authority are all expressing support for the project. One of their partners is the Logan Airport Authority which is trying to preserve its approach zones. These approach zones will have to be modified if they don't limit development.

It clearly meets the requirements of the act and will be recommended to the Quality Growth Commission for submission of a full application.

Red Butte Garden and Arboretum – Applicant

They requested money for planning, restoration and management of University Heritage Preserve, Phase I. Four hundred and thirty six acres surround the arboretum. This land was given to them from the army and it is under conservation easement to allow for public access to trails and lands above the garden and below the Forest Service property. Because this first phase is a planning study and the fact that the applicant doesn't qualify as a 5013C is a concern.

The Subcommittee recommended that the arboretum be invited to submit a full application so that the subcommittee could get more information about the project. The subcommittee expressed concern about this application because phase one is only a study, and does not restore land. The needed restoration would occur in phase two. Planning is an eligible cost in a restoration project, but typically it has been associated with actual restoration. The other concern is that the Arboretum itself is not an eligible applicant as it is not a 501© 3. This technicality can easily be remedied if the University of Utah Foundation requests the funds.

Riverton City – Applicant

This is called the Jordan River Open Space Preservation. They didn't respond to a request for their requested amount which means it is assumed that they are requesting half. (\$1,500,000.00) It would preserve one hundred acres of a larger six or seven hundred acre area along the river.

Riverton City's been asked to submit a full application.

City of West Jordan – Applicant

Called the Jordan River Land Preservation the applicant has requested \$98,000.00 for seven acres which would allow them to connect two sections of the Jordan River Parkway. There was some question regarding their plan to work out the long term preservation arrangements. These issues would be resolved as part of the full application.

It clearly meets the requirements of the act and will be recommended to the Quality Growth commission for submission of a full application.

Tree Utah – Applicant

They are requesting \$20,000.00 for the project entitled Audubon/Tree Utah Migratory Bird Habitat Restoration Phase 2. The actual property is north of 10600 south and will be for a bird habitat and for viewing by the public as they travel along the trail. This is a continuation of a project started last year and they are asking for a little more money. The project includes an extensive volunteer planting/watering project.

This applicant will be recommended to the Commission to submit a full grant application also.

Salt Lake City Corporation – Applicant

The project title is “9th South Open Space Corridor Restoration” and they are asking \$87,500.00. The city owns a thirty-five foot right of way along 900 South and between 900 West and 400 West. The intent is to have a trail system here. Because it is in such an urban setting there will be many regulations and requirements for safety sake. The subcommittee does not believe that this area can be restored to a truly natural area in accordance with the requirements of the Quality Growth Act. Therefore it was felt by the committee that it does not meet the necessary requirements for funding.

This grant applicant will not be recommended for further application for funding.

Trust for Public Lands – Applicant

Corner Canyon Conservation Area is the title of this project and they are requesting \$400,000.00. The McAllister Fund would buy the conservation easement on forty-five acres. This would be the lowest part of the 1,000 acres being considered by Draper City that is below the Bonneville Shoreline. This purchase would be instrumental in limiting development. The lower portion is developable.

They will be recommended for further application for funding.

Trust for Public Lands – Applicant

Entitled Fuhriman Agricultural Easement this grant would be \$120,000.00. The property is near Nibley and is 65 acres. This grant will encourage long term sustainability of agriculture, provide open space and preserve wildlife.

The committee will support a recommendation for a full application to be requested by the Commission.

Trust for Public Lands – Applicant

The Meikle Agricultural Easement would use funding to purchase a conservation easement to help preserve prime farm land between two fast growing communities.

The committee unanimously voted to support the request because it meets the requirements of the act and they should submit a full application.

Santa Clara City – Applicant

The dollar request for this project is \$12,500.00. The name of it is the Santa Clara Arboretum Restoration Project. Fifteen acres of this property is already an arboretum. But, it is planted in non-native species and has required massive

amounts of water to maintain. The property must be used for public purpose as stipulated by the BLM whom they acquired the property from. This new project would be to restore the arboretum a natural state, and to use it like a demonstration garden with native desert plants and would help inform people of landscaping ideas. The city hopes to reduce water usage and cost on this property

The vote was unanimous to recommend that this project be asked to submit a full application

North Salt Lake City – Applicant

Named Eaglewood Canyon Park, this project intends to trade property for the purpose of limiting growth which is of great concern to them. The funding would be for conservation easement and preserving the upper lands of the trade. The total acreage is about 90 acres. The lower ten would be developed as a park, and the upper 80 preserved as a natural area. The committee asked staff to make it clear to the applicant that McAllister Fund Money could not be used to acquire the land for the developed park, however, the fund could participate in preserving the upper natural area.

The project does qualify and again the vote was unanimous in the affirmative.

Cache County – Applicant

Named the Jess Harris Farm, this project includes ten acres in Cache County. The purchase of a conservation easement would preserve generic flat bottom land. They are requesting \$65,000.00 for this easement and it does qualify.

Unanimously voted upon for consideration by the Commission, it does qualify.

Provo City – Applicant

Called the Rock Canyon Preservation Project, this purchase of land and easement would protect a major recreation destination. Just east of the Provo Temple by huge granite cliffs and at the mouth of Provo Canyon, this land has always been open. Because there is an old mining claim attached to the property that one of the owners has recently tried to activate, there is concern about having mining activity at the mouth of the canyon.

This project was unanimous in the affirmative also.

Salem City – Applicant

Requesting \$25,000.00 and being called the Salem Outdoor Wetland Classroom these funds would be used to restore property to its natural state. The project would restore wetlands adjacent to the Salem Pond which is a major feature in the town. The pond and surrounding area is easily visible to the public.

It qualifies and was supported unanimously.

Salt Lake County – Applicant

Named Dry Creek Restoration – 700 East to 1300 East and at a cost of \$100,000.00 from the McAllister fund, this project would restore the stream corridor from damage it has sustained through storm water and flood control measures. This project continues work funded by the McAllister Fund earlier. With the completion of this project, the trail through Dimple Dell park will be extended from the Bonneville Shoreline Trail all the way down to 300 East.

The vote was again in the affirmative to recommend this grant application to the Commission.

Action Items

1. Recommend the following applicants for further consideration to the Quality Growth Commission:

**Utah Department of Agriculture
Red Butte Garden and Arboretum
Riverton City
City of West Jordan
Tree Utah
Trust for Public Lands – Corner Canyon Conservation Area
Trust for Public Lands – Fuhrman Agricultural Easement
Trust for Public Lands – Meikle Agricultural Easement
Santa Clara City
North Salt Lake City
Cache County
Provo City
Salem City
Salt Lake County
(note: Salt Lake City Corporation was not recommended for further consideration.)**

2. A letter will be sent to all applicants inviting them to apply, or explaining why they are not being invited to apply.

3. Next meeting to be held June 17th to review full applications

4. Site visits to take place on July 8th.